

Individuals with Disabilities Education Act (IDEA)

The Individuals with Disabilities Education Act (IDEA) ensures that all children with disabilities are entitled to a free appropriate public education to meet their unique needs and prepare them for further education, employment, and independent living. Prior to IDEA, over 4 million children with disabilities were denied appropriate access to public education. Many children were denied entry into public school altogether, while others were placed in segregated classrooms, or in regular classrooms without adequate support for their special needs (Katsiyannis, Yell, Bradley, 2001; Martin, Martin, Terman, 1996; U.S. Department of Education, 2010).

IDEA has four distinct sections; sections A, B, C and D. Part A of IDEA lays out the basic foundation for the rest of the Act. This section defines the terms used within the Act as well as providing for the creation of the Office of Special Education Programs, which is responsible for administering and carrying out the terms of IDEA (IDEA, 1997).

Part B of IDEA is the section which lays out the educational guidelines for school children 3-21 years of age. By law, states are required to educate students with disabilities (Martin, Martin, & Terman, 1996). IDEA provides financial support for state and local school districts. However to receive funding, school districts must comply with six main principles set out by IDEA:

Every child is entitled to a free and appropriate public education (FAPE).

When a school professional believes that a student between the ages of 3 and 21 may have a disability that has substantial impact on the student's learning or behavior, the student is entitled to an evaluation in all areas related to the suspected disability.

Creation of an Individualized Education Plan (IEP). The purpose of the IEP is to lay out a series of specific actions and steps through which educational providers, parents and the student themselves may reach the child's stated goals.

That the education and services for children with disabilities must be provided in the least restrictive environment, and if possible, those children be placed in a "typical" education setting with non-disabled students.

Input of the child and their parents must be taken into account in the education process.

When a parent feels that an IEP is inappropriate for their child, or that their child is not receiving needed services, they have the right under IDEA to challenge their child's treatment (due process). (DREDF, 2008; Katsiyannis, Yell, Bradley, 2001; Turnbull, Huerta, & Stowe, 2004).

Part C of IDEA recognizes the need for identifying and reaching very young children with disabilities. This portion of IDEA provides guidelines concerning the funding and services to be provided to children from birth through 2 years of age. Families are entitled to several services through part C of IDEA (IDEA, 1997).

Every family is entitled to appropriate, timely, and multidisciplinary identification and intervention services for their very young child. These services must be made available to all families with infants and toddlers.

Families are required to receive an Individualized family Service Plan (IFSP). This plan lays out the priorities, resources and concerns of the family. In addition it describes the goals of the child, the services to be provided to the child, and steps for eventual transitioning of the child into formal education.

Families have a right to participate in the creation of the IFSP, and must give consent prior to the initiation of intervention services.

Lastly, parents are entitled to timely resolution of all conflicts or complaints regarding the evaluation or services provided to their child.

The final section of IDEA, part D, describes national activities to be undertaken to improve the education of children with disabilities. These activities include grants to improve the education and transitional services provided to students with disabilities. In addition this section provides resources to support programs, projects and activities which contribute positive results for children with disabilities (IDEA, 1997).

In 2010 the U.S. Department of Education published a report acknowledging the 35th anniversary of IDEA. The report highlighted many of the achievements gained as a result of this legislation including the increase in college enrollment and decrease in high school dropouts.

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